

UNITED STATES DEPARTMENT OF COMMERCE
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Washington, D.C. 20231

NUTSHELL
10-22-97

| | | | |
|--------------------|---------------------|-----------------------|---------------------------|
| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NO./TITLE |
| 08/938,840 | 09/26/97 | UDENFELDT | J 027556-430 |

BURNS DOANE SWECKER & MATHIS
P O BOX 1404
ALEXANDRIA VA 22313-1404

NOT ASSIGNED

2611

DATE MAILED:

10/17/97

NOTICE TO FILE MISSING PARTS OF APPLICATION
Filing Date Granted

An Application Number and Filing Date have been assigned to this application. However, the items indicated below are missing. The required items and fees identified below must be timely submitted ALONG WITH THE PAYMENT OF A SURCHARGE for items 1 and 3-6 only of \$ 130 for a ☒ large entity ☐ small entity in compliance with 37 CFR 1.27. The surcharge is set forth in 37 CFR 1.16(e). Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required above to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☒ large entity ☐ small entity (verified statement filed), is \$ 130.

- ☐ 1. The statutory basic filing fee is:
- ☐ missing.
 - ☐ insufficient.

Applicant must submit \$ _____ to complete the basic filing fee and/or file a verified small entity statement claiming such status (37 CFR 1.27).

- ☐ 2. Additional claim fees of \$ _____, including any multiple dependent claim fees, are required.
- Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

- ☒ 3. The oath or declaration:

- ☒ is missing.
- ☐ does not cover the newly submitted items.
- ☐ does not identify the application to which it applies.
- ☐ does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

- ☐ 4. The signature(s) to the oath or declaration is/are:

- ☐ missing.
- ☐ by a person other than inventor or person qualified under 37 CFR 1.42, 1.43, or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

- ☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- ☐ 6. A \$ _____ processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

- ☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

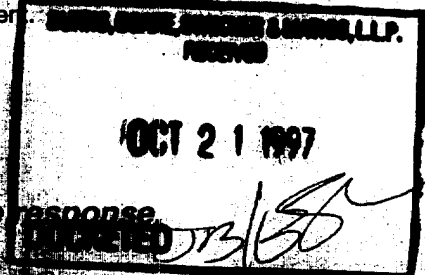
- ☐ 8. The application does not comply with the Sequence Rules.

See attached "Notice to Comply with Sequence Rules 37 CFR 1.601-1.825."

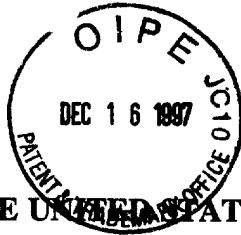
- ☐ 9. OTHER:

Direct the response and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice **MUST** be returned with the response.



DRB
Declaration due
227556-430



Patent
Attorney's Docket No. 027556-430

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of)
)
U.S. Patent No. 5,109,528 to) Group Art Unit: 2611
)
Jan-Erik UDDENFELDT et al.) Examiner: Unassigned
)
Application No.: 08/938,840)
)
Filed: September 26, 1997)
)
For: HANDOVER METHOD FOR)
MOBILE RADIO SYSTEM)

DECLARATION IN SUPPORT OF REISSUE APPLICATION

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

We, Jan E. Uddenfeldt and Alex K. Raith, hereby declare as follows:

- (1) We are citizens of Sweden, having a post office address of c/o Telefonaktiebolaget LM Ericsson, S-126 25, Stockholm, Sweden.
- (2) We believe that we are the original, first inventors of the invention described and claimed in the above-identified Reissue Application.
- (3) We have reviewed and understand the contents of the specification and the claims of the Reissue Application.
- (4) We hereby claim the benefit of foreign priority under 35 U.S.C. § 119 with respect to Swedish Patent Application No. 8802229-8, filed on June 14, 1938.
- (5) We acknowledge the duty to disclose information that we are aware of which is material to the examination of this Reissue Application in accordance with 37 C.F.R. § 1.56(a).

(6) We verily believe U.S. Patent No. 5,109,528 to be wholly or partially inoperative or invalid since we arguably claimed more than we had a right to claim.

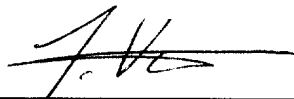
(7) More specifically, an error arose due to the fact that certain documents (authored by Herold and to be submitted in a forthcoming Information Disclosure Statement) were not identified until the prosecution of a corresponding, German patent application. This resulted in the claims which ultimately issued in U.S. Patent No. 5,109,528 being arguably broader than patentees had the right to claim.

(8) As a result of the claim amendments submitted in the above-identified Reissue Application, Alex K. Raith has been added as an inventor.

(9) All errors being corrected in this reissue application arose without any deceptive intention on the part of the undersigned.

(10) The undersigned declares further that all statements made herein are of his own knowledge and are true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

DATE: DEC 5, 1997



Jan E. Uddenfeldt

DATE: _____

Alex K. Raith



Patent
Attorney's Docket No. 027556-430

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | |
|------------------------------|---|----------------------|
| In re Reissue Application of |) | |
| |) | |
| U.S. Patent No. 5,109,528 to |) | Group Art Unit: 2611 |
| |) | |
| Jan-Erik UDDENFELDT et al. |) | Examiner: Unassigned |
| |) | |
| Application No.: 08/938,840 |) | |
| |) | |
| Filed: September 26, 1997 |) | |
| |) | |
| For: HANDOVER METHOD FOR |) | |
| MOBILE RADIO SYSTEM |) | |

DECLARATION IN SUPPORT OF REISSUE APPLICATION

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

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- (1) We are citizens of Sweden, having a post office address of c/o
Telefonaktiebolaget LM Ericsson, S-126 25, Stockholm, Sweden.
- (2) We believe that we are the original, first inventors of the invention described
and claimed in the above-identified Reissue Application.
- (3) We have reviewed and understand the contents of the specification and the
claims of the Reissue Application.
- (4) We hereby claim the benefit of foreign priority under 35 U.S.C. § 119 with
respect to Swedish Patent Application No. 8802229-8, filed on June 14, 1988.
- (5) We acknowledge the duty to disclose information that we are aware of which
is material to the examination of this Reissue Application in accordance with 37 C.F.R.
§ 1.56(a).

027556-430

(6) We verily believe U.S. Patent No. 5,109,528 to be wholly or partially inoperative or invalid since we arguably claimed more than we had a right to claim.

(7) More specifically, an error arose due to the fact that certain documents (authored by Herold and to be submitted in a forthcoming Information Disclosure Statement) were not identified until the prosecution of a corresponding, German patent application. This resulted in the claims which ultimately issued in U.S. Patent No. 5,109,528 being arguably broader than patentees had the right to claim.

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DATE: _____

Jan E. Uddenfeldt

DATE: Dec 12, '97

Alex K. Raith
Alex K. Raith

sector #



Patent
Attorney's Docket No. 027556-430

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Reissue Application of)
)
U.S. Patent No. 5,109,528 to)
)
Jan-Erik UDDENFELDT et al.)
) Group Art Unit: 2611
Application No.: 08/938,840)
) Examiner: Unassigned
Filed: September 26, 1997)
)
For: HANDOVER METHOD FOR)
MOBILE RADIO SYSTEM)
)

TRANSMITTAL LETTER FOR MISSING PARTS OF APPLICATION

BOX: MISSING PART

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In complete response to the Notice to File Missing Parts of Application Under 37 C.F.R.
§ 1.53(e) dated October 17, 1997, enclosed please find:

- ☒ a Declaration in Support of Reissue Application signed by the inventors and the surcharge of ☐ \$65.00 ☒ \$130.00 as set forth in 37 C.F.R. § 1.16(e);
 - ☐ Note that the inventor(s) identified on the currently filed Combined Declaration and Power of Attorney are different than listed on the application filing papers.
- ☐ a Declaration Claiming Small Entity Status, and a Request for Refund;
- ☐ a Petition for Extension of Time;
- ☐ a verified English translation of the Application, and the \$130.00 fee as set forth in 37 C.F.R. § 1.17(k);
- ☐ an Assignment document and the \$40.00 Assignment Recording Fee;
- ☐ other _____;
- ☒ a check in the amount of \$ 130.00 for the fee due; and
- ☐ charge \$ _____ to Deposit Account No.02-4800 for the fee due.

Transmittal Letter for Missing Parts of Application

Application No. 08/938.840

Attorney's Docket No. 027556-430

Page 2

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in triplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620

By: Steven M. duBois
Steven M. duBois
Registration No. 35,023

Date: December 16, 1997